

01-25-02

A

PATENT APPLICATION
Attorney Docket No: 28341/6248.8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONTINUING APPLICATION TRANSMITTAL UNDER 37 CFR § 1.53(b)

J1002 U.S. PTO

10/055663

01/23/02

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 C.F.R. § 1.53(b) for filing a divisional application based on pending application Serial No. 09/599,213.

1. Particulars of Prior Application:

Application Serial No:	09/599,213
Filed on:	June 22, 2000
Title:	HIGHLY SELECTIVE NOREPINEPHRINE REUPTAKE INHIBITORS AND METHODS OF USING THE SAME
Art Unit:	1614
Examiner:	William R. Jarvis
Prior Docket No.:	6248.4

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this Continuing Application Transmittal Under 37 CFR § 1.53(b) and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **January 23, 2002**, in an envelope addressed to the Box Patent Application, Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. **EK 657825134 US**.


Richard Zimmermann

2. This application is filed by:

- A. Erik H.F. Wong,
7352 Hampstead Lane
Portage, Michigan 49024
A citizen of the United States of America
- B. Saeeduddin Ahmed
9889 Defoe Court
Portage, Michigan 49002
A citizen of the United States of America
- C. Robert Clyde Marshall
7560 Fieldwood Circle
Mattawan, Michigan 49071
A citizen of Great Britain
- D. Robert McArthur
531 Carrington Court
Kalamazoo, Michigan 49009
A citizen of Great Britain
- E. Duncan P. Taylor
8722 West F Avenue
Kalamazoo, Michigan 49009
A citizen of the United States of America
- F. Lars Birgeron
54 Hillcrest Road
Martinsville, New Jersey 08836
A citizen of Sweden

- ☒ This application is being filed by less than all the inventors named in the prior application. An accompanying statement (pursuant to 37 C.F.R. § 1.48(b)) requests deletion of the name of a person who is not an inventor of the invention being claimed in this application.

3. Amendments

- ☒ Please amend the application according to the enclosed Preliminary Amendment.
- ☒ The filing fee is based upon entry of the Preliminary Amendment.

4. Copy of Prior Application and Incorporation By Reference

Enclosed is a copy of the prior complete application, including the specification (with claims), the declaration (37 C.F.R. § 1.63) and power of attorney, and any amendments referred to in the declaration filed to complete the prior application.

The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

5. Other

- ☒ Enclosed is an information disclosure statement and a Form PTO-1449, and the documents identified therein.
- ☒ The prior application is assigned of record to Pharmacia & Upjohn Company, and has been recorded at Reel No. 010988, Frame No. 0398. Enclosed is a copy of the assignment.

6. Application to Be Published

- ☒ Yes.
- ☐ No. A Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i) is attached.

7. Fee Calculation

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	39- 20	= 19	X 9 =	\$	X 18 =	\$344.00
INDEP.	4 - 3	= 1	X 42 =	\$	X 84 =	\$84.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =	\$	+ 280 =	\$
Fee: Filing				\$	OR	\$1168.00

8. Method of Payment of Fees

- ☒ Attached is a check in the amount of: **\$1168.00**
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$ _____
A copy of this Transmittal is enclosed.

9. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17 to Deposit Account No. 13-2855. **A copy of this Transmittal is enclosed.**

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

10. **Correspondence Address**

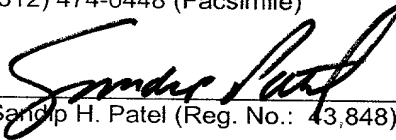
Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300 (Telephone)
(312) 474-0448 (Facsimile)

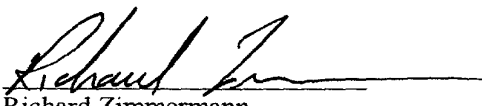
January 23, 2002

By:


Sandip H. Patel (Reg. No.: 43,848)

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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicants:	Erik H.F. Wong <i>et al.</i>)	I hereby certify that this paper is being
)	deposited with the United States Postal Service
Serial No.:	To be assigned)	on January 23, 2002 , in an envelope
)	addressed to the Box Patent Application,
Filed:	January 23, 2002 (Herewith))	Commissioner for Patents, Washington, D.C.
)	20231 utilizing the "Express Mail Post Office
Title:	METHODS OF TREATING)	to Addressee" service of the United States
	AND PREVENTING)	Postal Service under Mailing Label No.
	INCONTINENCE (<i>As amended</i>))	EK 657825134 US.
)	
Group Art Unit:	To be assigned)	
)	
Examiner:	To be assigned)	
)	
Attorney Docket No.:	6248.8)	
)	
)	
)	Richard Zimmermann

**AMENDMENT, PETITION, AND FEE DELETING CORRECTLY-NAMED PERSON
WHO IS NOT AN INVENTOR OF THE INVENTION NOW BEING
CLAIMED — NONPROVISIONAL APPLICATION — (37 C.F.R. § 1.48(b))**

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

This amendment and petition under 37 C.F.R. § 1.48(b) is to delete the name of Pasquale Cetera as an inventor. Pasquale Cetera is not an inventor of the invention now being claimed in the above-captioned patent application.

The presently pending claims in this application are certain claims originally filed in the pending, parent application (U.S. Serial No. 09/599,213), namely claims 1-17, 32-41, and 44-51, some of which have been amended by way of a "Preliminary Amendment" filed concurrently herewith in the above-captioned application. The "Preliminary Amendment" cancels all claims for which the deleted inventor Pasquale Cetera made a contribution. The deleted inventor made no contribution to the now-pending claims (i.e., claims 1-17, 32-41, 44-51, and 54-57).

Enclosed is a check in the amount of \$130.00 to cover the petition fee set forth at 37 C.F.R. § 1.17(i). Any additional required fee may be charged to our Deposit

Account No. 13-2855. Any overpayment should be refunded to the undersigned attorney's law firm at the address indicated below.

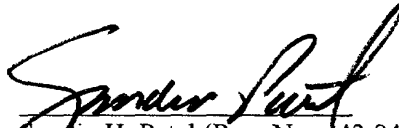
A copy of this paper is enclosed.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

January 23, 2002

By


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